

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

MALGORZATA PIOTROWSKA and)
WOJCIECH ROSIAK,)
)
Plaintiffs,) Case No.: 1:22-cv-00160
vs.)
)
WALMART, INC.,)
)
Defendant.)

NOTICE AND PETITION FOR REMOVAL

COMES NOW Defendant, Walmart, Inc. (“Walmart”), by counsel, pursuant to Title 28, United States Code, Section 1446, and respectfully petitions the Court as follows:

1. On April 18, 2022, Plaintiffs filed a civil action in the Allen Superior Court, Cause No. 02D01-2204-CT-000173, originally captioned *Malgorzata Piotrowska and Wojciech Rosiak vs. Walmart, Inc.* Plaintiffs’ Complaint alleges generally that Malgorzata Piotrowska sustained personal injuries at a Walmart store on or about November 30, 2021, due to the negligence of the Defendant.

2. The Complaint and Summons were served on Defendant Walmart on or about April 25, 2022. A true and accurate copy of the Complaint and Summons are attached hereto as Exhibit “A” and “B” respectively.

3. The above-described action is a civil action of which this Court has original jurisdiction under the provisions of 28 U.S.C. §1332(a) and is one which may be removed to this Court by the Defendant, pursuant to the provisions of 28 U.S.C. §1441 in that jurisdiction of this action exists in this Court by reason of diversity of citizenship. More specifically, the Plaintiffs

are residents and citizens of the State of Indiana. Defendant Walmart, Inc. is a Delaware corporation with its principal place of business located in the State of Arkansas.

4. Defendant Walmart has filed a Notice of Filing Petition for Removal contemporaneously herewith in the Allen Superior Court.

5. The amount in controversy in this case exceeds \$75,000.00.

6. Copies of all pleadings and orders filed in the Allen Superior Court are attached as Exhibit "C".

WHEREFORE, Defendant Walmart prays that the action above now pending against it in the Allen Superior Court, be removed therefrom to this Court forthwith, and for all other just and proper relief in the premises.

Respectfully submitted,

BARRETT McNAGNY LLP

By: /s/Robert T. Keen, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that I have this 12th day of May, 2022, electronically filed the foregoing with the Clerk of the Court using the CM/ECF which sent notification of such filing to the following:

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/s/Robert T. Keen, Jr. _____

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